

private official or agency. In addition, the Director of the National Institute of Corrections shall not establish and collect fees to provide training to State and local officers which was not provided on a reimbursable basis prior to October 1, 1986.”

SUBCHAPTER VII—ADMINISTRATIVE  
PROVISIONS

**§ 10221. Rules, regulations, and procedures; consultations and establishment**

**(a) General authorization of certain Federal agencies**

The Office of Justice Programs, the Bureau of Justice Assistance, the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Statistics, and the National Institute of Justice are authorized, after appropriate consultation with representatives of States and units of local government, to establish such rules, regulations, and procedures as are necessary to the exercise of their functions, and as are consistent with the stated purposes of this chapter.

**(b) Continuing evaluation of selected programs or projects; cost, effectiveness, impact value, and comparative considerations; annual performance report; assessment of activity effectiveness; suspension of funds for nonsubmission of report**

The Bureau of Justice Assistance shall, after consultation with the National Institute of Justice, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, State and local governments, and the appropriate public and private agencies, establish such rules and regulations as are necessary to assure the continuing evaluation of selected programs or projects conducted pursuant to subchapters V, XII, XIII, XIV, and XX, in order to determine—

- (1) whether such programs or projects have achieved the performance goals stated in the original application, are of proven effectiveness, have a record of proven success, or offer a high probability of improving the criminal justice system;
- (2) whether such programs or projects have contributed or are likely to contribute to the improvement of the criminal justice system and the reduction and prevention of crime;
- (3) their cost in relation to their effectiveness in achieving stated goals;
- (4) their impact on communities and participants; and
- (5) their implication for related programs.

In conducting evaluations described in this subsection, the Bureau of Justice Assistance shall, when practical, compare the effectiveness of programs conducted by similar applicants and different applicants. The Bureau of Justice Assistance shall also require applicants under part A of subchapter V to submit an annual performance report concerning activities carried out pursuant to part A of subchapter V together with an assessment by the applicant of the effectiveness of those activities in achieving the purposes of such part A and the relationships of those activities to the needs and objectives specified by the applicant in the application sub-

mitted pursuant to section 10153 of this title. Such report shall include details identifying each applicant that used any funds to purchase any cruiser, boat, or helicopter and, with respect to such applicant, specifying both the amount of funds used by such applicant for each purchase of any cruiser, boat, or helicopter and a justification of each such purchase (and the Bureau of Justice Assistance shall submit to the Committee of the Judiciary of the House of Representatives and the Committee of the Judiciary of the Senate, promptly after preparation of such report a written copy of the portion of such report containing the information required by this sentence). The Bureau shall suspend funding for an approved application under part A of subchapter V if an applicant fails to submit such an annual performance report.

**(c) Procedures for paperwork minimization and prevention of duplication and delays in award and expenditure of funds**

The procedures established to implement the provisions of this chapter shall minimize paperwork and prevent needless duplication and unnecessary delays in award and expenditure of funds at all levels of government.

(Pub. L. 90-351, title I, § 801, formerly § 802, as added Pub. L. 96-157, § 2, Dec. 27, 1979, 93 Stat. 1201; renumbered § 801 and amended Pub. L. 98-473, title II, § 609B(b), Oct. 12, 1984, 98 Stat. 2091; Pub. L. 99-570, title I, § 1552(b)(2), Oct. 27, 1986, 100 Stat. 3207-46; Pub. L. 101-647, title II, § 241(b)(2), title VIII, § 801(c)(1), Nov. 29, 1990, 104 Stat. 4813, 4826; Pub. L. 103-322, title IV, § 40231(d)(1), title XXXIII, § 330001(h)(7), Sept. 13, 1994, 108 Stat. 1934, 2139; Pub. L. 109-162, title XI, § 1111(c)(2)(D), Jan. 5, 2006, 119 Stat. 3102.)

**Editorial Notes**

CODIFICATION

Section was formerly classified to section 3782 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

Another section 801 of Pub. L. 90-351, title III, June 19, 1968, 82 Stat. 211, is set out as a note under section 2510 of Title 18, Crimes and Criminal Procedure.

PRIOR PROVISIONS

A prior section 801 of Pub. L. 90-351 was classified to section 3781 of Title 42, The Public Health and Welfare, prior to repeal by section 609B(a) of Pub. L. 98-473.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109-162 substituted “the purposes of such part A” for “the purposes of section 3751 of this title” and “the application submitted pursuant to section 3752 of this title. Such report shall include details identifying each applicant that used any funds to purchase any cruiser, boat, or helicopter and, with respect to such applicant, specifying both the amount of funds used by such applicant for each purchase of any cruiser, boat, or helicopter and a justification of each such purchase (and the Bureau of Justice Assistance shall submit to the Committee of the Judiciary of the House of Representatives and the Committee of the Judiciary of the Senate, promptly after preparation of such report a written copy of the portion of such report containing the information required by this sentence)” for “the application submitted pursu-

ant to section 3753 of this title” in concluding provisions.

1994—Subsec. (b). Pub. L. 103-322, in introductory provisions substituted “subchapters” for “subchapters IV,” and “XII-C, and XII-I” for “and XII-C”, and in concluding provisions substituted “part A of subchapter V” for “subchapter IV” wherever appearing, “3751” for “3743(a)”, and “3753” for “3743”.

1990—Subsec. (b). Pub. L. 101-647, §801(c)(1), substituted “XII-B, and XII-C” for “and XII-B”.

Pub. L. 101-647, §241(b)(2), substituted “XII-A, and XII-B” for “and XII-A”.

1986—Subsec. (b). Pub. L. 99-570 inserted reference to subchapter XII-A of this chapter in introductory provisions.

1984—Subsec. (a). Pub. L. 98-473 in amending subsec. (a) generally, substituted “Office of Justice Programs” for “Office of Justice Assistance, Research, and Statistics” and “Bureau of Justice Assistance” for “Law Enforcement Assistance Administration” and also included authority for the Office of Juvenile Justice and Delinquency Prevention to establish rules, regulations, and procedures for exercise of its functions.

Subsec. (b). Pub. L. 98-473 in amending subsec. (b) generally, substituted “Bureau of Justice Assistance” for “Law Enforcement Assistance Administration” wherever appearing; provided for consultations with the Office of Juvenile Justice and Delinquency Prevention; and struck out provisions respecting: rules, regulations, and procedures affecting national priority grant programs or projects; evaluations in addition to the requirements of former sections 3743 and 3744 of this title; and requirement for comparison of effectiveness of formula grant programs or projects of States or local units of government with similar national priority and discretionary grant programs or projects.

Subsec. (c). Pub. L. 98-473 in amending section generally, reenacted subsec. (c) without change.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter, see section 1111(d) of Pub. L. 109-162, set out as a note under section 10151 of this title.

##### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 10101 of this title.

#### § 10222. Notice and hearing on denial or termination of grant

Whenever, after reasonable notice and opportunity for a hearing on the record in accordance with section 554 of title 5, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics finds that a recipient of assistance under this chapter has failed to comply substantially with—

- (1) any provisions of this chapter;
- (2) any regulations or guidelines promulgated under this chapter; or
- (3) any application submitted in accordance with the provisions of this chapter, or the provisions of any other applicable Federal Act;

the Director involved shall, until satisfied that there is no longer any such failure to comply, terminate payments to the recipient under this chapter, reduce payments to the recipient under this chapter by an amount equal to the amount of such payments which were not expended in accordance with this chapter, or limit the avail-

ability of payments under this chapter to programs, projects, or activities not affected by such failure to comply.

(Pub. L. 90-351, title I, §802, formerly §803, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1202; renumbered §802 and amended Pub. L. 98-473, title II, §609B(b), Oct. 12, 1984, 98 Stat. 2092; Pub. L. 99-570, title I, §1552(b)(3), Oct. 27, 1986, 100 Stat. 3207-46; Pub. L. 101-647, title II, §241(b)(3), title VIII, §801(c)(2), Nov. 29, 1990, 104 Stat. 4813, 4826; Pub. L. 103-322, title IV, §40231(d)(2), title XXXIII, §330001(c), (h)(8), Sept. 13, 1994, 108 Stat. 1934, 2138, 2139; Pub. L. 107-273, div. C, title I, §11012, Nov. 2, 2002, 116 Stat. 1823; Pub. L. 109-162, title XI, §1155(1), Jan. 5, 2006, 119 Stat. 3113.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 3783 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

Another section 802 of Pub. L. 90-351, title III, June 19, 1968, 82 Stat. 212-223, enacted sections 2510 to 2520 of Title 18, Crimes and Criminal Procedure.

##### PRIOR PROVISIONS

A prior section 802 of Pub. L. 90-351 was renumbered section 801 and is classified to section 10221 of this title.

##### AMENDMENTS

2006—Pub. L. 109-162 struck out subsec. (a) designation before “Whenever, after reasonable notice”, struck out subsec. (b) which related to notice of and reasons for action, hearing or investigation, and finality of findings and determinations, and struck out subsec. (c) which related to rehearing, regulations and procedures, and presentation of additional information.

2002—Subsec. (b). Pub. L. 107-273, which directed amendment of subsec. (b) by substituting “T,” for “U,” in the original, was executed by substituting “XII-H” for “XII-I” in text to reflect the probable intent of Congress, notwithstanding that “U” was not followed by a comma in the original.

1994—Subsec. (b). Pub. L. 103-322 substituted “part A of subchapter V of this chapter or under subchapter XII-A, XII-B, XII-C, or XII-I” for “subchapter IV, XII-A., XII-B, or XII-C”.

1990—Subsec. (b). Pub. L. 101-647, §801(c)(2), substituted “, XII-B, or XII-C” for “or XII-B”.

Pub. L. 101-647, §241(b)(3), substituted “, XII-A, or XII-B” for “or XII-A”.

1986—Subsec. (b). Pub. L. 99-570 inserted reference to subchapter XII-A of this chapter.

1984—Subsec. (a). Pub. L. 98-473 in amending subsec. (a) generally, included provision for finding of non-compliance by the Bureau of Justice Assistance and excluded similar provision for Law Enforcement Assistance Administration, substituted “the Director involved shall, until satisfied that there is no longer any such failure to comply,” for “they, until satisfied that there is no longer any such failure to comply, shall—”, and struck out designations “(A)” before “terminate payment”, “(B)” before “reduce payments”, and “(C)” before “limit the availability of payments”.

Subsec. (b). Pub. L. 98-473 in amending subsec. (b) generally, substituted “If any grant application submitted under subchapter IV of this chapter has been denied, or any grant under this chapter has been terminated” for “If a State grant application filed under subchapter IV of this chapter or any grant application filed under any other subchapter of this chapter has